

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Terrell*, Slip Opinion No. 2018-Ohio-258.]

NOTICE

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**SLIP OPINION NO. 2018-OHIO-258**

**THE STATE OF OHIO, APPELLEE, v. TERRELL, APPELLANT.**

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Terrell*, Slip Opinion No. 2018-Ohio-258.]

*Appeal dismissed as having been improvidently accepted.*

(No. 2016-1100—Submitted November 21, 2017—Decided January 16, 2018.\*)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 103428, 2016-Ohio-4563.

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{¶ 1} This cause is dismissed as having been improvidently accepted.

O'DONNELL, KENNEDY, FISCHER, and DEWINE, JJ., concur.

O'CONNOR, C.J., and FRENCH and O'NEILL, JJ., dissent.

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Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and Christopher D. Schroeder, Assistant Prosecuting Attorney, for appellee.

Robert L. Tobik, Cuyahoga County Public Defender, and Erika B. Cunliffe, Assistant Public Defender, for appellant.

\*Reporter's Note: This cause was decided on January 16, 2018, but was released to the public on January 30, 2018, subsequent to the resignation of Justice William M. O'Neill, who participated in the decision.

SUPREME COURT OF OHIO

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